CF 1 of 4

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 356 OF 2003

BETWEEN

Smt. Sanju Chourasiya (D/o Shri Bhrigunandan Prasad) Wife of Shri Anil Chourasiya, aged about 32 years, resident of M.I.G. 112 (HUDCO), Dr. Rajendra Prasad Nagar, Korba (CG).

P.R. No. 3366/03 Presented by Shri Rupesh Shrivastava dated 30.10.03

PETITIONER

A N D

1. The State of Chhattisgarh, Through the Secretary Department of Health Services, Mantralay, D.K.S. Building, Raipur (CG).

2. The Director, Directorate of Health Services, Chhattisgarh, Raipur, Tehsil and District Raipur (CG).

3. The Joint Director, Health Services, Bilaspur Division, Bilaspur, Tehsil and District Bilaspur (CG).

30.10.03

RESPONDENTS

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA

55

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3563 03 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

11.02.2004

Shri Shailendra Soni, counsel for the petitioner.

Shri Ranbir Singh, Govt. Adv. for the State.

The petitioner has preferred this writ petition under Article 226 & 227 of the Constitution of India being aggrieved by the inaction on the part of the respondents for not appointing her as Staff Nurse.

The case of the petitioner is that she had passed the three years diploma course of General Nursing from Sardar Patel Hospital, Bilaspur in the year 1998. The petitioner had also passed M.A. examination. After successful completion of three years diploma course in General Nursing- Midwifery a certificate to this effect was issued to the petitioner, copy thereof is Annexure P-9. Thereafter, the petitioner submitted an application for enlisting her name in the Roll of Mahakoshal Nurses Registration Council, Bhopal supported with the documents and subsequently, her name was registered and she was assigned the number V-1986 on 13.10.1998 and the validity of the registration certificate was up to 12.10.2003. Certificate is Annexure P-10 to the writ petition. The petitioner's name has also been enlisted in the Roll of Employment Exchange in the year 1999. On 11.02.1999 the Director of Health Services issued an order (Annexure P-14) to all the Joint Directors, Health Services, M.P. and allotted the trainees to the respective division from where they have successfully completed three years course in General Nursing for issuance of their

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP 3563 सन् 2003

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	formal appointment order on the vacant post of the staff nurse. In this order it has been clearly mentioned that if no post are fallen vacant in their division, the information to that effect should be submitted to the Directorate Office. The trainees whose names appeared at Sr. No.48, 54 & 62 have been allocated to Bilaspur Division for appointment on the post of Staff nurse. The petitioner's name was at Sr. No.50 and the respondent No.3 vide letter dated 30.03.1999 informed the petitioner vide Annexure P-15 to remain present in the office on 20.04.1999 at 11.00 a.m. alongwith all original certificates for scrutiny and verification and there is direction regarding the issuance of the appointment after verification of all the certificates. The grievance of the petitioner is that she appeared before respondent No.3 and showed her original documents but no appointment order has been issued even after lapse of two years. Then the petitioner made several representations on various dates i.e. on 26.03.2001, 12.07.2002, 05.05.2003 & 10.09.2003 but of no avail. Moreover, the post of staff nurse is still lying vacant but they are not appointing the petitioner. Learned counsel for the petitioner submits that the petitioner may be allowed to make a detailed representation to respondent No.2 and respondent No.2 may be directed to consider the representation of the petitioner and pass appropriate order regarding his grievances, to which learned State Counsel has no objection.	

(C1)

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक 3563/03 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Having heard the learned counsel for the parties and having regard to the facts and circumstances of the case, the petitioner is allowed to make a detailed representation raising all her grievances within ten days from today to respondent No.2 and in turn, respondent No.2 after considering all the grievances of the petitioner and material submitted by the petitioner shall decide the representation within a period of thirty days from the date of receipt of the same in an objective manner in accordance with the law. With the above directions the petition stands disposed of. In view of this order, I.A. No.10,218/2003 for urgent hearing stand disposed of. Certified copy as per rules. **Sd/-** **L.C. Bhadoo** **Judge**	